

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

1655/1Fu

Applicants: Xiong et al.



Serial No. 10/509,972

Filed: October 1, 2004

For: COMPOUNDS USEFUL IN THE TREATMENT OF  
ANTHRAX AND INHIBITIONG LETHAL FACTORArt Unit: To be AssignedExaminer: To be AssignedCommissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Supplemental

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR 1.97**

Sir:

1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).

2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.

4. Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK &amp; CO., INC.

By

Date

8-4-05

**INFORMATION DISCLOSURE STATEMENT**

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

RELATED APPLICATION		
U. S. SERIAL NUMBER	FILING DATE	MERCK CASE

If this is inconvenient, additional copies will be submitted upon request.

6. In accordance with 37 C.F.R. 1.97, (check one)

- ☐ the attached information is filed within three months of the filing date of the captioned case.
- ☒ the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits.
- ☐ the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action or Notice of Allowance. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).
- ☐ the undersigned certifies that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
- ☐ the undersigned certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,

  
 By: Sylvia A. Ayler  
 Attorney For Applicant(s)

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 Date: August 4, 2005

[illegible]

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Office	Number	Kind Code (if known)		
		PCT	WO 99/57097	A2	Versicor, Inc.	11/11/1999
		PCT	WO 01/701690	A1	The Procter & Gamble Company	09/27/2001
		EP	EP 0 757 984	B1	Ono Pharmaceutical Co., Ltd.	08/07/1996
		PCT	WO 97/05865	A1	Fibrogen Inc.	02/20/1997
		PCT	WO 97/27174	A1	Shionogi & Co. Inc.	01/22/1997
		PCT	WO 98/17645	A1	Pharmacia & Upjohn Company	04/30/1998
		PCT	WO 98/39329	A1	Monsanto Company	11/11/1998
		PCT	WO 98/42659	A2	Smithkline Beecham PLC	10/01/1998
		PCT	WO 99/04780	A1	Shionogi & Co., Ltd.	02/04/1999
		PCT	99/06340	A2	The Procter & Gamble Co.	02/11/1999

Examiner Signature		Date Considered	
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\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

AUG 08 2005

(use as ~~many~~<sup>few</sup> sheets as necessary)

Sheet

2

of

3

## Application Number

10/509,972

**Filing Date**

October 1, 2004

**First Named Inventor**

Xiong et al.

## Group Art Unit

### To be Assigned

Examiner Name

### To be Assigned

Attorney Docket Number

21111YP

[illegible]

Examiner Initials*	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Office	Number	Kind Code (if known)		
		PCT	WO 99/42443	A1	Novartis AG	02/02/1999
		PCT	WO 02/072577	A2	Novartis AG	09/19/2002
		PCT	WO 03/035610	A1	Shionogi & Co., Ltd.	05/01/2003
		PCT	WO 03/051825	A1	Exelixis, Inc.	06/26/2003

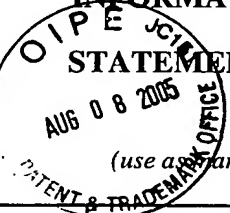
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Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE          STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)			<b>COMPLETE IF KNOWN</b>		
			Application Number	10/509,972	
			Filing Date	October 1, 2004	
			First Named Inventor	Xiong et al.	
			Group Art Unit	To be Assigned	
			Examiner Name	To be Assigned	
Sheet	3	of	3	Attorney Docket Number	21111YP

NON PATENT LITERATURE DOCUMENTS		
Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.
		A. Scozzafava et al., "Carbonic Anhydrase and Matrix Metalloproteinase Inhibitors: Sulfonylated Amino Acid Hydroxamates with MMP Inhibitory Properties Act as Efficient Inhibitors of CA Isozymes I, II, and IV, and N-Hydroxysulfonamides Inhibit both These Zinc Enzymes", 2001, pp. 1016, Vol. 44, J. Medicinal Chemistry. Chemical Abstract 137:194969
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		S. Pikul et al., "Potent and Selective Carboxylic Acid-Based Inhibitors of Matrix", 2001, pp. 2499-2502, Vol. 44 (16), J. of Medicinal Chemistry. Chemical Abstract 135:210918
		M. Ikeda et al., "Inhibition of Gelatinolytic Activity in Tumor Tissues by Synthetic Matrix Metalloproteinase Inhibitor", 2000, pp. 3290-3296, Vol. 6(8), Clinical Cancer Research. Chemical Abstract 134:125645.
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		V. G. Reddy, "A Novel, Simple and Practical Protocol for N-protected-alpha-amino Hydroxamic Acids", 1999, pp. 3613-3619, Vol. 29 (20), Synthetic Communications. Chemical Abstract 131:286005
		T. Brennan, "Two-Dimensional Parallel Array Technology as a New Approach to Automated Combinatorial Solid-Phase Organic Synthesis", 1998, pp. 33-45, Vol. 61(1), Biotechnology and Bioengineering. Chemical Abstract 129:29436
		Y. Tamura et al., "Highly Selective and Orally Active Inhibitors of Type IV Collagenase", 1998, pp. 640-619, Vol. 41(4), J. of Medicinal Chemistry. Chemical Abstract 128:188290.
		J. Hansel et al., "Oxazoline Formation via a Palladium-Catalyzed Cyclization: a Direct, Stereoselective Approach to Cis-5-Amino-2-Cyclopenten-1-ol Derivatives", 1995, pp. 2913-16, Tetrahedron Letters. Chemical Abstract 123:227656.
		S. Natelson et al., "Preparation of D-, DL-, and L-Homoserine Lactone from Methionine", 1989, pp. 226-32, Vol. 40(2), Microchemical J. Chemical Abstract 112:179786.
		N. Yoneda et al., "Reaction of L-alpha-tosylamido-Bet-Propiolactone. I. Synthesis, Reactions with Amines, and Derivation to L-Serine", 1969, pp. 98-103, Vol. 89(1), Yakugaku Zasshi. Chemical Abstract 70:88228
		K. Takahashi et al., "Phenylsulfonamide Derivative", 1998, 10-204059, Patent Abstracts of Japan.
		K. Takahashi et al., "Phenylsulfonamide Derivative", 1997, 11-035557, Patent Abstracts of Japan.
		F. Watanabe et al., "MMP-8 Inhibitor", 1998, 11-246527, Patent Abstracts of Japan.

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